



UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

MAR 18 2005

PERSONNEL AND
READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE (ACQUISITION,
TECHNOLOGY AND LOGISTICS)
UNDER SECRETARY OF DEFENSE (POLICY)
COMBATANT COMMANDERS
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Criteria and Process for Establishment, Continuance, and Disestablishment
of Commissaries

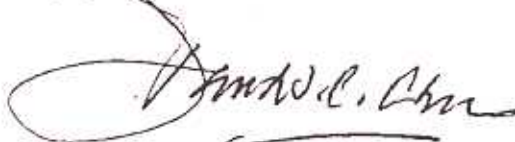
Section 651 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), requires the Secretary of Defense to notify Congress 90 days in advance of a commissary closure, except in cases where the closure results from the closure of an installation under a base closure law. Section 651 also delineates new criteria for determining store size, and for assessing whether to establish or close a commissary store. This policy memorandum, effective immediately, amends the current policy (attached) concerning the establishment, continuance, and disestablishment of commissaries, consistent with the requirements of section 651, as follows:

- The needs of members of the Armed Forces on active duty and the needs of dependents of such members shall be the primary consideration when the Department assesses the need to establish a commissary store and selects the location of the store.
- In determining the size of a commissary store, the Department shall consider the number of all authorized patrons of the defense commissary system who are likely to use the store.
- When assessing whether to close a commissary store, the Department shall give primary consideration to the effect of the closure on the quality of life of active duty members and their dependents who use the store and on the welfare and security of the military community in which the commissary is located. The effect of the closure on the quality of life of the Reserve Components shall also be considered.



- Except in cases where the closure of a commissary results from the closure of an installation pursuant to a base closure law, the Military Department shall provide written notice of the requirement to close a commissary to the Director, Defense Commissary Agency (DeCA), who shall provide written notice of such requirement to the Principal Deputy Under Secretary of Defense (Personnel and Readiness) (PDUSD(P&R)), who shall then notify Congress. Each notice shall include an assessment of the impact the closure will have on the quality of life of military patrons and the welfare and security of the military community in which the commissary is located. The closure of a commissary store shall not take effect until 90-days after the date the PDUSD(P&R) submits written notice to Congress.

The DoD Components shall incorporate the 90-day notification requirement of section 651 into the development of their plans for Integrated Global Presence and Basing Strategy. The DoD Components shall avoid entering into agreements that preclude compliance with the notification requirements of section 651 as set forth in this memorandum. The next change to DoD 1330.17-R, "Armed Services Commissary Regulations," shall include this policy guidance.



David S. C. Chu

Attachment:
As stated